

MEMO ENDORSED**ANDERSON KILL & OICK, P.C.**

1251 AVENUE OF THE AMERICAS ■ NEW YORK, NY 10020
 TELEPHONE: 212-278-1000 ■ FAX: 212-278-1733
www.andersonkill.com

USDC-SDNY
DOCUMENT
ELECTRONICALLY FILED
Attorneys and Counselors at Law
DOC #:
DATE FILED: <u>6/13/13</u>

Adam J. Rader, Esq.
Arader@andersonkill.com
 212-278-1016

By E-Mail

June 13, 2013

Hon. Ronnie Abrams
 United States District Judge
 United States District Court
 Southern District of New York
 500 Pearl Street, Room 620
 New York, NY 10007
Abrams_NYSDChambers@nysd.uscourts.gov

Re: Overseas Private Investment Corporation v. Peter Eugene Gerwe -
Docket No. 12-CV-5833

Dear Judge Abrams:

We represent Defendant, Peter Eugene Gerwe, in the above-referenced matter.

We are writing to request that the Court adjust the current briefing schedule for Plaintiff's Motion For Summary Judgment which was electronically filed on April 22, 2013. After Plaintiff's Motion was filed a briefing schedule was set by the Court during a telephone conference held on May 9, 2013.

Since the May 9 telephone conference, the parties have been discussing a potential settlement of the matter. Discussions have progressed to the point where a mediation session scheduled for June 17 has been postponed, at the request of both parties, because we believe that the ongoing negotiations are on the right track and may lead to a settlement without the need for further mediation.

In view of these developments, both parties agree that an extension of all briefing deadlines would facilitate the potential for a settlement by allowing the parties to devote time and resources to negotiating and drafting a settlement agreement which would moot the motion.

Accordingly, we have been authorized by Plaintiff's counsel, Linda Taverni, Esq., to jointly request that the current briefing schedule be amended as follows:

Defendant's Responding Papers: **Tuesday, July 30, 2013 (previously Friday, June 28, 2013)**

New York, NY ■ Newark, NJ ■ Philadelphia, PA ■ Stamford, CT ■ Ventura, CA ■ Washington, DC

nydocs1-1014426.1

Anderson Kill & Olick, P.C.

Plaintiff's Reply Papers:

**Tuesday August 20, 2013 (previously
Friday, July 19, 2013)**

Oral Argument:

**A mutually convenient date to be scheduled
by the Court**

Based on the foregoing, we respectfully request that Your Honor "So Order" this letter to confirm the Court's approval of the proposed briefing schedule requested herein.

Respectfully submitted,
Anderson Kill & Olick, P.C.

By: _____

Adam J. Rader (AR-3530)

SO ORDERED:

Hon. Ronnie Abrams, U.S.D.J.

6/13/13

cc: Linda T. Taverni Esq. (Tavernis@hotmail.com)